

06-04-01

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## CERTIFICATE OF MAILING

Date: June 1, 2001

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hereby certify that on the dated listed above, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service in accordance with 37 C.F.R. § 1.10 as "Express Mail Post Office to Addressee," with sufficient postage in an envelope addressed to: Box Patent Application, Commissioner of Patents, Washington, DC 20231.

*Paige Perryman*  
Paige Perryman

## PATENT TRANSMITTAL

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of inventor:

Randy Morningstar

For: IMPLANTABLE MEDICAL BALLOON AND METHOD OF MAKING

## 1. Type of Application

This new application is for a(n)

- ☒ Original (non provisional)  
☐ Design  
☐ Plant  
☐ Divisional  
☐ Continuation

## 2. Benefit of Prior U.S. Provisional Application(s) (35 USC 119(e), 120, or 121)

- ☒ The new application being transmitted claims the benefit of prior U.S. provisional application, serial No. (unassigned) filed May 15, 2001.

## 3. Papers Enclosed

- A. Required for filing date under 37 CFR § 1.53(b)(Regular) or 37 CFR § 1.153 (Design Application)  
13 pages of specification  
14 pages of claims  
3 sheets of drawings (do not submit original drawings)

(completed the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 CFR 1.84(b).

## B. Other Papers Enclosed

- 2 Pages of declaration and oath  
1 Pages of abstract

06/01/01

10002 U.S. PTO

10002 U.S. PTO

09/872704

06/01/01

09/872704-0601

4. **Assignment**

- ☐ An assignment of the invention to \_\_\_\_\_  
☐ is attached. A separate ☐ "COVERSHEET FOR ASSIGNMENT (DOCUMENT)  
 ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.  
☐ will follow.

5. **Fee Calculation**

A ☒ Regular application

CLAIMS AS FILED			
Number filed	Number Extra	Rate	Basic Fee 37 CFR § 1.16(a)
Total Claims 88 (37 CFR § 1.16(c))	88 - 20 = 68	68 x \$18.00 =	\$710.00 \$1224.00
Independent Claims (37 CFR § 1.16(b))	7 - 3 = 4	80 x \$80.00 =	\$320.00
Multiple dependent claims(s), if any (37 CFR § 1.16(d))		+ \$270.00 =	

- ☐ An amendment canceling extra claims is enclosed.  
☐ An amendment deleting multiple-dependencies is enclosed.  
☐ The fee for extra claims is not being paid at this time
- Filing Fee Calculation \$ 2254.00
- B. ☐ Design application (\$330-37 CFR § 1.16(f)) \$ \_\_\_\_\_  
 C. ☐ Plant application (\$540-37 CFR § 1.16(g)) \$ \_\_\_\_\_

6. **Small Entity Statement(s)**

- ☐ Statement(s) that this is a filing by a small entity under 37 CFR §§ 1.9 and 1.27 are attached.  
*(completed the following if applicable)*  
☐ Status as a small entity was claimed in prior application Serial No. 0 / \_\_\_\_\_, filed on \_\_\_\_\_, from which benefit is being claimed for this application under:  
 35USC § ☐ 119(e)  
☐ 120  
☐ 121  
☐ 365(c)

and which status as a small entity is still proper and desired.

- ☐ A copy of the statement in the prior application is included.  
 Filing Fee Calculation (50% of A, B, or C above) \$ \_\_\_\_\_

7. **Fee Payment Being Made at Time**

- ☐ Not Enclosed  
☐ No filing fee is to be paid at this time.  
☒ Enclosed
- ☒ Filing Fee \$ 2254.00  
☐ Recording Assignment (\$40.00) \$ \_\_\_\_\_  
☐ Petition fee for filing by other than all the inventors or person on  
 behalf of the inventor where inventor refused to sign or cannot be  
 reached  
 (\$130.00 - 37 CFR §§ 1.47 and 1.17(j)) \$ \_\_\_\_\_  
☐ For processing an application with a specification in a non-  
 English language  
 (\$130.00; 37 CFR 1.53(d) and 1.21(k)) \$ \_\_\_\_\_  
☐ Processing and retention fee  
 (\$130.00; 37 CFR 1.53(d) and 1.21(l)) \$ \_\_\_\_\_  
☐ Fee for international-type search report  
 (\$40.00; 37 CFR 1.21(e)) \$ \_\_\_\_\_
- Total fees enclosed \$ 2254.00

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8. **Method of Payment of Fees**

- ☒ Check in the amount of \$ 2254.00 is enclosed.  
☐ charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

9. **Authorization to Charge Additional Fees**

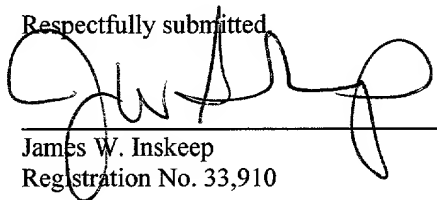
*(If no fees are to be paid on filing, the following items should not be completed)*

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 16-2230.
- ☒ 37 CFR §§1.16(a), (f), or (g) (Filing fees)
  - ☒ 37 CFR §§1.16(b), (c), and (d) (presentation of extra claims)
  - ☒ 37 CFR §§1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
  - ☒ 37 CFR §§1.17(a)(1)-(5) (extension fees pursuant to §1.136(a))
  - ☒ 37 CFR §§1.17 (application processing fees)
  - ☐ 37 CFR §§1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR §1.1311(b))

10. **Instructions as to Overpayment**

- ☒ Credit Account No. 16-2230  
☐ Refund

Respectfully submitted,

  
\_\_\_\_\_  
James W. Inskeep  
Registration No. 33,910

Dated: June 1, 2001

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